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VIA ECF

April 8, 2025

Hon. Jennifer H. Rearden
District Court, Southern District of New York
500 Pearl Street, Room 1010
New York, NY 10007

Re: **Cavanaugh v. Individuals, et al.** (1:24-cv-00380-JHR)
Motion to Extend Temporary Restraining Order and Adjourn Hearing

Dear Hon. Rearden:

This office represents Plaintiff in the above-captioned copyright infringement action against Defendants, who have unlawfully exploited Plaintiff's intellectual property by marketing and selling infringing products through e-commerce storefronts. On March 31, 2025, the Court issued a Temporary Restraining Order (the "TRO") [Dkt. 23], which, among other relief, directed third-party internet service providers and financial institutions to immediately restrain Defendants' online selling accounts. The Court also scheduled a preliminary injunction hearing for April 11, 2025.

Undersigned counsel did not receive the ECF notification of the Court's March 31, 2025 TRO until April 1, 2025. However, counsel was out of the office and unavailable until April 3, 2025. Upon returning, counsel promptly initiated service of the TRO and related papers on the designated third-party service providers on April 3, 2025. As of the date of this filing, the third-party service providers remain within the timeframe prescribed by the TRO to effectuate compliance. To date, none have provided responsive information identifying the Defendants or enabling Plaintiff to ascertain contact information sufficient to effectuate service of the Complaint, or to provide formal notice of the TRO and the upcoming hearing.

Accordingly, Plaintiff respectfully requests the following relief to allow the Court to effectively adjudicate Plaintiff's request for preliminary relief:

1. That the preliminary injunction hearing currently scheduled for April 11, 2025, be adjourned to April 28, 2025;
2. That any Defendant who wishes to oppose entry of a preliminary injunction be required to serve written opposition, if any, on or before April 24, 2025; and
3. That the TRO be extended pursuant to Rule 65(b) of the Federal Rules of Civil Procedure through and until the April 28, 2025, preliminary injunction hearing.


This is Plaintiff's first request to adjourn the April 11, 2025, preliminary injunction hearing. No Defendant has appeared in this action and there are currently no other scheduled appearances or deadlines. In light of the above, Plaintiff respectfully submits that good cause exists to extend the TRO and adjourn the preliminary injunction hearing.

Defendants shall submit their opposition, if any, to the preliminary injunction motion by **April 23, 2025**. Plaintiff shall file his reply, if any, by **April 24, 2025**. The hearing scheduled for April 11, 2025 is adjourned to **April 25, 2025 at 12:00 p.m.** Good cause exists to extend the TRO because the third-party service providers must provide the information Plaintiff requested before Plaintiff can effectuate service. *See* Fed. R. Civ. P. 65(b)(2); *see also* *Cawthon v. Zhousunyijie*, 700 F. Supp. 3d 20, 31 n.2 (S.D.N.Y. 2023) ("A temporary restraining order can be extended beyond the 14-day limit for good cause, and while service is being effected."). Accordingly, the Court extends the TRO through April 27, 2025 at 8:15 p.m.

Respectfully submitted,

/s/ Dmitry Lapin
Dmitry Lapin, Esq.

The Clerk of Court is directed to terminate ECF No. 24. SO ORDERED.


Jennifer H. Rearden, U.S.D.J.
Dated: April 8, 2025